

**CONDITIONS OF APPROVAL
PRECISE PLAN OF DESIGN (PPD) NO. 11-164**

COMMUNITY DEVELOPMENT DEPARTMENT

General

1. Within two years of this approval, the Precise Plan of Design shall be exercised by substantial construction or the permit/approval shall become null and void. In addition, if after commencement of construction, work is discontinued for a period of two years, the permit/approval shall become null and void.

PROJECT:

EXPIRATION DATE:

PRECISE PLAN OF DESIGN (PPD) NO. 11-164

March 7, 2014

2. The review authority may, upon application being filed 30 days prior to the expiration date and for good cause, grant a one-time extension not to exceed 24 months. The review authority shall ensure that the project complies with all current Development Code provisions.
3. In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, their affiliates officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
4. Construction shall be in substantial conformance with the plan(s) approved by the Planning Commission. Minor modification to the plan(s) shall be subject to approval by the Director through a minor administrative variation process. Any modification that exceeds 10% of the following allowable measurable design/site considerations shall require the refilling of the original application and a subsequent hearing by the appropriate hearing review authority if applicable:
 - a. On-site circulation and parking, loading and landscaping;
 - b. Placement and/or height of walls, fences and structures;
 - c. Reconfiguration of architectural features, including colors, and/or modification of finished materials that do not alter or compromise the previously approved theme; and,
 - d. A reduction in density or intensity of a development project.
5. No vacant, relocated, altered, repaired or hereafter erected structure shall be occupied or no change of use of land or structure(s) shall be inaugurated, or no new business commenced as authorized by this permit until a Certificate of

Occupancy has been issued by the Building Division. A Temporary Certificate of Occupancy may be issued by the Building Division subject to the conditions imposed on the use, provided that a deposit is filed with the Community Development Department prior to the issuance of the Certificate, if necessary. The deposit or security shall guarantee the faithful performance and completion of all terms, conditions and performance standards imposed on the intended use by this permit.

6. This permit or approval is subject to all the applicable provisions of the Loma Linda Municipal Code, Title 17 in effect at the time of approval, and includes development standards and requirements relating to: dust and dirt control during construction and grading activities; emission control of fumes, vapors, gases and other forms of air pollution; glare control; exterior lighting design and control; noise control; odor control; screening; signs, off-street parking and off-street loading; and, vibration control. Screening and sign regulations compliance are important considerations to the developer because they will delay the issuance of a Certificate of Occupancy until compliance is met. Any exterior structural equipment, or utility transformers, boxes, ducts or meter cabinets shall be architecturally screened by wall or structural element, blending with the building design and include landscaping when on the ground.
7. Signs are not approved as a part of this permit. Prior to establishing any new signs, the applicant shall submit an application, and receive approval, for a sign permit from the Planning Division (pursuant to LLMC, Chapter 17.18) and building permit for construction of the signs from the Building Division, as applicable.
8. The applicant shall comply with all of the Public Works Department requirements for recycling prior to issuance of a Certificate of Occupancy.
9. The applicant shall implement SCAQMD Rule 403 and standard construction practices during all operations capable of generating fugitive dust, which will include but not be limited to the use of best available control measures and reasonably available control measures such as:
 - Water active grading areas and staging areas at least three times daily as needed;
 - Require that during grading operations all graders and dozers used on the project site meet Tier 2 or greater emission requirements. Any other heavy equipment used on the project site that is not mentioned shall meet the minimum allowable emissions standards set by the California Air Resources Board.
 - Apply water or soil stabilizers to form crust on inactive construction areas and unpaved work areas;
 - Suspend grading activities when wind gusts exceed 25 mph;
 - Sweep public paved roads if visible soil material is carried off-site;
 - Enforce on-site speed limits on unpaved surface to 15 mph; and
 - Discontinue construction activities during Stage 1 smog episodes.

10. The applicant shall implement the following construction practices during all construction activities to reduce VOC emission:
 - a. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLP) spray method, or manual coating applications such as paint brush, hand roller, trowel, dauber, rag, or sponge.
 - b. The contractor shall utilize water-based or low VOC coating of 100 g/l of VOC (allowing approximately 31,500 square feet painted per day) to 250 g/l of VOC (allowing approximately 12,950 square feet painted per day). The following measures shall also be implemented:
 - Use Super-Compliant VOC paints whenever possible.
 - If feasible, avoid painting during peak smog season: July, August, and September.
 - Recycle leftover paint. Take any left-over paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
 - Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
 - For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center (www.cleanup.org).
 - Recycle the empty paint can.
 - Look for non-solvent containing stripping products.
 - Use Compliant Low-VOC cleaning solvents to clean paint application equipment.
 - Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
11. The applicant shall work with Waste Management to follow a debris management plan to divert the material from landfills by the use of separate recycling bins (e.g., wood, concrete, steel, aggregate, glass) during demolition and construction to minimize waste and promote recycling and reuse of the materials.
12. On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project.
13. The proposed project shall contribute on a fair share basis, through an adopted traffic impact fee project, in the implementation of the recommended intersection lane improvements or in dollar equivalent in lieu mitigation contributions, or in the implementation of additional capacity on parallel routes to offset potential impacts to study area intersections as listed in the Focused Traffic Analysis prepared by Kunzman Associates.

14. All construction shall meet the requirements of the 2010 California Building Code (CBC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of any Building Permit(s).
15. All Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of a Certificate of Occupancy.
16. Prior to issuance of any Building and/or Construction Permits, the applicant shall submit to the Community Development Department proof of payment or waiver from both the City of San Bernardino for sewer capacity fees and Redlands Unified School District for school impact fees.
17. The applicant to pay all required development impact fees to cover 100 percent of the pro rata share of the estimated cost of public infrastructure, facilities, and services.
18. The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise plan of design, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.
19. Prior to issuance of grading permits, the applicant shall submit a photometric plan and final lighting plan to City staff showing the exact locations of light poles and the proposed orientation and shielding of the fixtures to prevent glare onto adjacent properties.
20. The applicant shall implement the following mitigations from the Preliminary Noise Impact Analysis prepared by Michael Brandman Associates (October 3 2012):
 - The developer shall be limited to between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday. Construction activities shall not occur on weekends or national holidays.
 - All construction equipment shall use noise-reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
 - Construction staging and heavy equipment maintenance activities shall be performed a minimum distance of 300 feet from any offsite residence, unless safety or technical factors/feasibility take precedence.

21. The applicant shall implement the mitigation measures from the Cultural Resources Assessment prepared by Michael Brandman Associates (October 10, 2011):
- A qualified archaeological inspector shall be present once project-related excavations reach 4-feet below current grade. Should any cultural resources be discovered by the inspector during project-related earthmoving, all earthmoving in the immediate areas of the discovery shall cease. The inspector shall examine the find and make recommendations to the lead agency (City of Loma Linda) on the measures that shall be implemented to protect to the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines.
 - If during the implementation of Mitigation Measure 4, the resources are determined to be “unique historic resources” as these terms are defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in greenspace, parks or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.
 - Should paleontological resources be uncovered during grading, a qualified vertebrate paleontologist shall be contracted to perform a field survey to determine and record any nonrenewable paleontological resources found on-site. The paleontologist will determine the significance, and make recommendations to the City of Loma Linda for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act.
 - If human remains of any kind are found during excavation and construction activities, all activities must cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission. The Native American Heritage Commission will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractor shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - The applicant shall protect the existing run of palm trees located along New Jersey Street to the greatest extent possible.

22. In the event that human remains are encountered during grading, all provisions of state law requiring notification of the County Coroner, contacting the Native American Heritage Commission, and consultation with the most likely descendant, shall be followed.
23. The project shall comply with all non-exempt provisions of Measure V and shall pay the full amount or any recalculated development impact fees, including traffic impact fees, prior to occupancy.

Landscaping

24. The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
25. Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval. Any and all fencing shall be illustrated on the final landscape plan.
26. Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modifications to the landscape plans shall be reviewed and approved by the Public Works and Community Development Departments prior to issuance of permits.
27. The applicant, property owner, and/or business operator shall maintain the property and landscaping in a clean and orderly manner and all dead and dying plants shall be replaced with similar or equivalent type and size of vegetation.

FIRE DEPARTMENT

28. All construction shall meet the requirements of the editions of the Uniform Building Code (UBC) and the Uniform Fire Code (UFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
29. Pursuant to UFC Section 901.4.4, as amended in Loma Linda Municipal Code (LLMC) Section 15.28.150, building address numerals shall be a minimum of eight (8) inches, affixed to the building so as to be visible from the street, and electrically illuminated during the hours of darkness.
30. Fire Department Impact Fees shall be assessed according to the rate legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by the City manager's Executive Order.

31. The applicant shall meet the Fire Departments requirements regarding emergency access to the site. The site circulation shall meet the performance requirements of all emergency vehicles.
32. Prior to the issuance of building permits, the applicant shall submit a Utility Improvement Plan showing the location of fire hydrants for review and approval by the Fire Department, and provided the following information:
 - a. The applicant shall provide fire hydrant at each point of entry.
 - b. Provide Fuel 13 sprinkler protection

PUBLIC WORKS DEPARTMENT

33. The developer shall submit an engineered grading plan for proposed project. The project shall comply with the City of Loma Linda grading standards as shown on the grading plan checklist.
34. All utilities shall be underground. The City of Loma Linda shall be the sewer purveyor.
35. All public improvement plans shall be submitted to the Public Works Department for review and approval, and shall include:
 - a. Landscape and parkway improvement in conjunction with the development;
 - b. On-site traffic signing and striping shall be implemented in conjunction with the construction plans;
 - c. Sight distance at each project access shall be reviewed with respect to California Department of Transportation/City of Loma Linda standards in conjunction with the preparation of final grading, landscaping, and street improvement plans;
36. Any damage to existing improvements as a result of this project shall be repaired by the applicant to the satisfaction of the City Engineer.
37. Prior to issuance of grading permits, the applicant shall submit to the City Engineer a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) shall be submitted to the City Engineer for coverage under the NPDES General Construction Permit.
38. Per the City of Loma Linda recycling policy, the project proponent shall incorporate interior and exterior storage areas for recyclables.
39. The project proponent shall comply with City adopted policies regarding the reduction of construction and demolition (C&D) materials. Removal of vegetation

and concrete foundations, as observed during preparation of the Cultural Resources Investigation, shall be in accordance with applicable City policies.

40. The applicant shall submit and obtain Public Works Department approval of an erosion control plan to minimize potential increases in erosion and sediment transport during short term construction and long term operational activity. Place erosion control measures prior to issuance of building permits. An erosion control deposit will be required prior to recordation of final map or issuance of grading permits which ever occurs first.
41. The applicant shall submit a preliminary soils report with the Public Works Department prior to issuance of grading permits.
42. Dust abatement will be made a condition of the grading plans for this project.
43. The applicant shall submit original wet signed and stamped grading certifications from the soils engineer and the grading engineer, along with compaction reports to the Public Works Department.
44. Submit final grade certifications, by the grading engineer, to the Public Works Department prior to issuance of any Certificate of Occupancy.
45. The applicant shall construct full street improvements (including, but not limited to curb and gutter, asphalt concrete pavement, aggregate base, sidewalk, one drive approach per lot, and street lights) on all interior streets.
46. Street light locations, as required, are to be approved by the City of Loma Linda.
47. The Applicant shall provide sidewalks on all public streets.
48. The Applicant shall submit a thorough evaluation of the structural road section, from a qualified soil engineer, to the Public Works Department. Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3-1/2" A.C./6" A.B. Traffic index shall be provided by the Public Works Department.
49. The Applicant shall design public improvements including sidewalk, drive approaches and handicap ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code.
50. The Applicant shall investigate any existing downstream drainage problems and provide the Public Works Department with a detailed drainage analysis showing proposes to handle the drainage flows from and through the site without adversely affecting adjacent or downstream properties.

51. The Applicant shall submit a hydrologic report for the subject development to determine storm runoff quantities contributing to the site and determine building pad elevations.
52. The Applicant shall pay appropriate fees for plan check, inspection, GIS map plan update, microfilming and storage of maps and plans, and other required fees.
53. Sewage connection to be City of Loma Linda.
54. City of Loma Linda to be water purveyor.
55. The Applicant shall pay for the relocation of any power poles or other existing public utilities as necessary.
56. Water mains shall be sized and installed as shown on approved utility plans for domestic service to the development. Submit plans for review and approval.
57. Service lines from the main and the water meters shall be installed in accordance with City of Loma Linda standards.

Department of Toxic Substances Control

58. The applicant shall perform a Phase I Environmental Site Assessment to determine if the project site includes any contamination prior to the issuance of building permits.
59. The applicant shall prepare a study for the presence of hazardous chemicals, mercury, and asbestos containing materials (ACM) as a result of the demolition of the existing on-site structures. If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
60. Should future project construction require soil excavation or filling in certain areas, soil sampling may be required. If soil is contaminated, it must be properly disposed. Land Disposal Restrictions (LDRs) may be applicable to such soils. Soil sampling should also be conducted on any imported soil.
61. The subject site shall be tested for pesticides, agricultural chemical, organic wastes and other related residues, prior to the issuance of building permits, Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of an approved by a government agency at the site prior to project construction.
62. If it is determined that hazardous wastes are, or will be generated by the proposed operation of the facility, the wastes must be managed in accordance

with the California Hazardous Waste Control Law and the Hazardous Waste Control Regulations. If it is determined that hazardous wastes will be generated, the facility must obtain a United States Environmental Protection Agency Identification Number. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA).

63. If clean up oversight is required of the project, the applicant shall be required to obtain an Environmental Oversight Agreement with the DTSC.

Applicant signature

Date

Owner signature

End of Conditions